

REMARKS

DRAWINGS

Applicant has amended the FIGS. 1 and 2 to add reference numeral 37 which now designates the bolt. FIGS. 1 and 2 have been further amended so that reference numeral "24" is underlined as requested by the Examiner. FIG. 1 has been additionally amended to illustrate the features designated by reference numerals 43 and 44 to be located in the moveable element 26. FIG. 6 has been amended so that reference numeral "200" includes a lead line as requested by the Examiner. These amendments are in accordance with 37 C.F.R. 1.84 and are reflected in the Replacement Sheets submitted herewith.

The aforementioned amendments to the figures do not add new matter within the meaning of 35 U.S.C. § 132. It is respectfully requested that these amendments be entered.

SPECIFICATION

Paragraphs 29 and 69 have been amended as previously indicated, to add reference numeral 37 which now refers to the bolt. No further elaboration is believed necessary and withdrawal of this objection to the specification is respectfully requested.

STATUS OF THE CLAIMS

Claims 1-20 are pending. Claims 1, 9 and 16 each have been amended to recite the feature of a housing comprising an inner surface and an inner protrusion that that extends along the inner surface of the housing. Claims 1, 9 and 16 have been further amended to recite that the collar extends between the first contact surface and the second contact surface to generally oppose the inner protrusion. Claim 19 has been similarly amended to recite an inner protrusion that that extends from the housing wherein the first stopping means extends from the shaft to

generally oppose the inner protrusion. Claim 19 has been further amended to delete the recitation of “sealing” and recite “stopping.”

Accordingly, no new matter has been added by these amendments and no estoppels are intended thereby. Reconsideration and withdrawal of the outstanding rejections is respectfully requested in view of the following remarks.

OFFICE ACTION

REJECTIONS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claims 19 and 20 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctively claim the subject matter which Applicant regards as the invention.

Claim 19 has been amended at line 4 to recite the stopping means. No further elaboration is believed necessary. Accordingly, Applicant respectfully requests that this § 112 rejection be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 102(b)

(1) Claims 1-4 and 16-18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by AU 41984/85. Applicant respectfully traverses this rejection.

Applicant notes that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. (quoting *Verdegall Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987)).

Without conceding the propriety of the prior art rejection, claims 1 and 16 have been amended. Claim 1, and therefore depended claims 2-4, recite a housing comprising an inner surface and an inner protrusion that that extends along the inner surface of the housing.

Additionally, claim 1, and therefore dependent claims 2-4, recite that the collar extends between the first contact surface and the second contact surface to generally oppose the inner protrusion.

Applicant respectfully submits that AU 41984/85 fails to disclose at least this aspect of claims 1-4. AU 41984/85 discloses a collar 38, 40 as indicated by the Examiner, however the collar 38, 40 is not located between the lower surface of the retaining ring 62 and the surface of the plate 16. To the contrary, the collar 38, 40 is disposed within the vessel. See, for example, FIG. 1 of AU 41984/85. Moreover, AU 41984/85 fails to disclose a housing having an inner protrusion whereby the collar extends from the shaft such that it generally opposes the inner protrusion. Again, see, for example, FIG. 1 of AU 41984/85 reference. Accordingly, Applicant respectfully submits that AU 41984/85 fails to anticipate claims 1-4 and therefore this rejection should be withdrawn with respect to these claims.

Claim 16, and therefore dependent claims 17 and 18, recite a housing comprising an inner surface and an inner protrusion that that extends along the inner surface of the housing wherein the collar extends between the first contact surface and the second contact surface to generally oppose the inner protrusion.

Again, as discussed above in connection with this 102 (b) rejection to claims 1-4, AU 41984/85 fails to disclose at least this aspect of the claims, and accordingly fails to anticipate claims 16-18.

Accordingly, Applicant respectfully requests that this rejection to claims 1-4 and 16-18 be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 103(a)

(1) Claims 5-8, 19 and 20 stand rejected under 35 U.S.C. § 103 (a) as being allegedly unpatentable over AU 41984/85. Applicant respectfully traverses this rejection.

To establish a prima facie case of obviousness, the prior art references must teach or suggest all of the claim elements. M.P.E.P. § 2143. There must also be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references. *Id.* Applicant respectfully submits that these criteria for obviousness have not been satisfied.

Claims 5-8 depend from claim 1, and therefore recite a housing comprising an inner surface and an inner protrusion that that extends along the inner surface of the housing wherein the collar extends between the first contact surface and the second contact surface to generally oppose the inner protrusion. As discussed in connection with the 102 (b) rejection to claims 1-4 and 16-18, AU 41984/85 fails to disclose at least this aspect of the claims.

Claim 19, and therefore dependent claim 20, recite a inner protrusion that extends from the housing wherein the first stopping means extends from the shaft to generally oppose the inner protrusion. Again, AU 41984/85 fails to disclose at least this aspect of the claims.

Accordingly, Applicant respectfully submits that a prima facie case of obviousness has not been established and this rejection to claims 5-8 and 19-20 should be withdrawn.

(2) Claims 9-15 stand rejected under 35 U.S.C. § 103 (a) as being allegedly unpatentable over AU 41984/85 in view of Brunson et al. (U.S. Patent No. 6,193,409). Applicant respectfully traverses this rejection.

Claim 9, and therefore dependent claims 10-15, recite a housing comprising an inner surface and an inner protrusion that that extends along the inner surface of the housing, wherein the collar extends between the first contact surface and the second contact surface to generally oppose the inner protrusion.

AU 41984/85 fails to disclose at least this aspect of claims 9-15, as previously discussed. Brunson *et al.* fails to remedy the aforementioned deficiency in Au 41984/85. Brunson *et al.* discloses a horizontal agitator with a shaft and seal assembly that uses a mechanical force to separate the seal members. Accordingly, Applicant respectfully requests that this 103(a) rejection to claims 9-15 be withdrawn.

No extension-of-time fee or other fees are believed due. However any extension of time necessary to prevent abandonment is hereby requested, and any fee necessary for consideration of this response is hereby authorized to be charged to Deposit Account Number 50-2036.

In view of the foregoing, reconsideration and allowance of the application are believed in order, and such action is earnestly solicited.

Should the Examiner believe that a telephone conference would expedite issuance of the application, the Examiner is respectfully invited to telephone the undersigned attorney at 202/861-1714.

Respectfully submitted,

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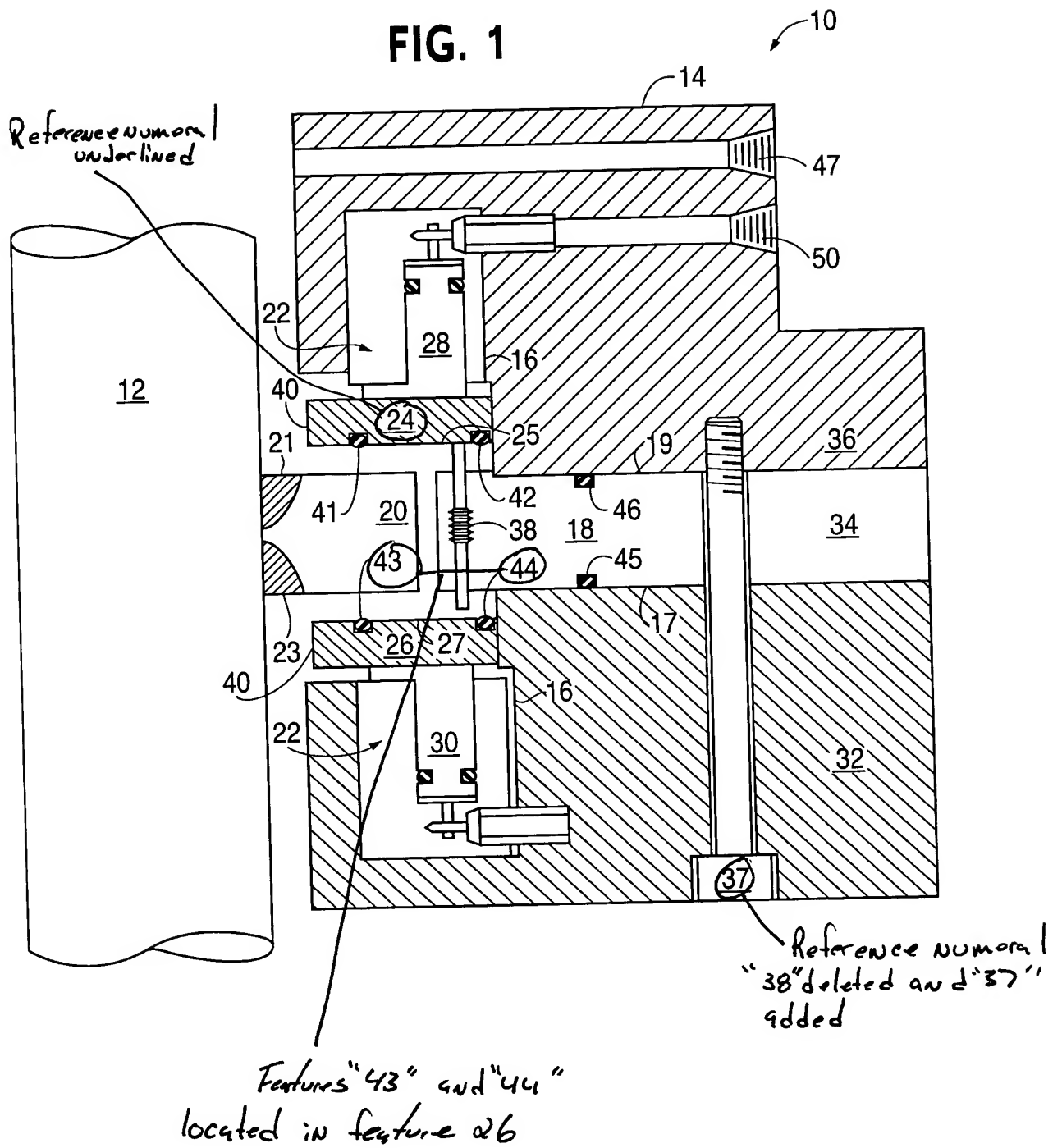
AMENDMENTS TO THE DRAWINGS

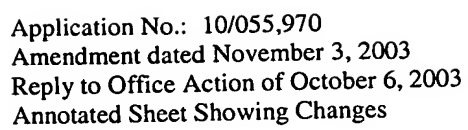
The attached new drawing sheets include changes to FIGS. 1, 2 and 6. These sheets, which include FIGS. 1, 2 and 6, replace the original sheets that included FIGS. 1, 2 and 6. The amendments to the drawings are further discussed in the *Remarks* section of this amendment.



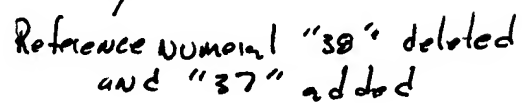
Application No.: 10/055,970  
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Reply to Office Action of October 6, 2003  
Annotated Sheet Showing Changes

FIG. 1





Reference numbers /  
underlined







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**FIG. 6**

